

RESTRAINT & SECLUSION

SUMMARY:

Studies show that Restraint and Seclusion are not effective to manage student behavior and may cause a worsening of behavior, Post Traumatic Stress Disorder, physical injury and even death. These practices are disproportionately used against students with disabilities and students of color. During the 2019 General Assembly Session, bill [HB2599](#) was passed which updated [§ 22.1-14](#) of the Code of Virginia requiring all Virginia school districts to update their restraint and seclusion policies by January 1, 2021, to identify and prohibit the use of any method of restraint or seclusion that it determines poses a significant danger to the student and establish safety standards for seclusion.

WHEREAS, All students need to be educated in environments which are supportive and free from abuse, assault, injury, trauma and risk to life; and

WHEREAS, Severe behaviors are a student's communication of an unmet need; and

WHEREAS, The use of restraint and seclusion has resulted in the assault, injury, trauma and, in some cases, death of children in public schools; and

WHEREAS, Children at risk, especially students with disabilities, are disproportionately subjected to restraint and seclusion compared to their non-disabled peers; and

WHEREAS, Restraint means physical, mechanical, or pharmacological restraint which immobilizes or reduces the ability of a student to move freely; and

WHEREAS, Seclusion means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving; and

WHEREAS, The following are prohibited in Virginia under regulation [8VAC20-750-30](#): mechanical restraints; pharmacological restraints; aversive stimuli (induced pain or discomfort); prone restraints (i.e. lying face down); restraints or seclusion that restrict a student's breathing or harms the student; physical restraint or seclusion as punishment or discipline; coercion; retaliation; convenience or to prevent property damage; corporal punishment; use of seclusion rooms or freestanding units not meeting the standards set forth in the regulation; use of restraint or seclusion when medically or psychologically contraindicated by the IEP team, the student's Section 504 team, school professionals, or by a licensed physician, psychologist, or other qualified health professional under the scope of the professional's authority.

THEREFORE, BE IT

RESOLVED, That Virginia PTA and its constituent associations support legislation, regulations, policies and programs that emphasize the use of positive or non-aversive interventions and prohibit the use of mechanical, pharmacological, prone (lying face down) and supine (lying face up) restraints in schools; and be it further

RESOLVED, That Virginia PTA and its constituent associations support legislation, regulations, policies and programs that prohibit the use of seclusion in schools; and be it further

RESOLVED, That Virginia PTA and its constituent associations support requiring school personnel to be trained in the use of evidence-based de-escalation techniques that do not involve physically handling students; and be it further

RESOLVED, That Virginia PTA and its constituent associations support the creation of safe de-escalation spaces separate from any space used for punitive discipline; that such spaces be in visual and auditory range of staff at all times; that such spaces allow a quiet, calm space to de-escalate; that no student shall be secluded in such a room; and be it further

RESOLVED, That Virginia PTA and its constituent associations support requiring schools to provide mental health supports to both students and staff involved in or witnessing restraint or seclusion; and be it further

RESOLVED, That Virginia PTA and its constituent associations support legislation, regulations, policies, and programs that ensure the safety of children by providing that the use of physical restraints (excluding prone and supine restraints) shall only be used in an emergency situation when necessary, to protect students and staff from imminent harm and that all interventions shall cease as soon as the immediate danger of physical harm ceases to exist; and be it further

RESOLVED, That Virginia PTA and its constituent associations support requiring schools to provide written same day notice of any use of restraint and seclusion policies to families; and be it further

RESOLVED, That Virginia PTA and its constituent associations, will seek, via educational literature, programs and projects, to educate the school community and parents about the risks inherent in the use of restraint and seclusion in schools.

* This resolution re-affirms and expands on National PTA's Resolution on Restraint and Seclusion as adopted by the 2015 Convention Delegates

March 20, 2021, Adopted by the Virginia PTA 2020 Annual Meeting Attendees